

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

<b>DENNIS SHIPMAN, et al.,</b>	:	
<b>Plaintiffs,</b>	:	<b>Civil No. 3:11-CV-1162</b>
<b>v.</b>	:	<b>(Mannion, D. J.)</b>
		<b>(Schwab, M. J.)</b>
<b>JINADA ROCHELLE, et al.,</b>	:	
<b>Defendants.</b>	:	

**ORDER**

AND NOW, this 26<sup>th</sup> day of August, 2013, upon consideration of the Report and Recommendation of United States Magistrate Judge Susan E. Schwab, (Doc. No. [64](#)), and, following an independent review of the record, it appearing that neither party has objected to the judge's report and recommendation, and that there is no clear error<sup>1</sup> on the face of the record, it is hereby **ORDERED**:

1.) The Report and Recommendation of Judge Schwab, (Doc. No. [64](#)), is **ADOPTED IN ITS ENTIRETY**.

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<sup>1</sup>For those sections of the Report and Recommendation to which no objection is made, the court should, as a matter of good practice, "satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." FED. R. CIV. P. 72(b), advisory committee notes; *see also Univac Dental Co. v. Dentsply Intern., Inc.*, 702 F.Supp.2d 465, 469 (2010) (citing *Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining judges should give some review to every Report and Recommendation)). Nevertheless, whether timely objections are made or not, the district court may accept, reject or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); Local Rule 72.31.

2.) The motion for summary judgment filed by defendants on October 17, 2012, (Doc. No. [52](#)), is **GRANTED IN ITS ENTIRETY**.

3.) Plaintiffs' amended complaint, (Doc. No. [6](#)), is **DISMISSED WITH PREJUDICE**.

4.) The clerk of court is directed to **CLOSE THE CASE**.

*s/ Malachy E. Mannion*  
**MALACHY E. MANNION**  
United States District Judge

Dated: August 26, 2013

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